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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DAVID ALVARADO GOMEZ, an
individual; LUIS CARMONA ESCOBAR,
an individual; LEONEL ALFARO ZAYAS,
an individual,

Plaintiffs,

vs.

JAROSLAV NOVOTNY, an individual;
KLC GLOBAL SERVICES LTD, a Foreign
Corporation; DOES I through X, inclusive;
and ROE CORPORATIONS I through X,
inclusive,

Defendants.

Case No.: 2:19-CV-00827-GMN-EJL

**[PROPOSED] STIPULATION TO
ENLARGE DISCOVERY PLAN AND
SCHEDULING ORDER**

(THIRD REQUEST)

Pursuant to LR IA 6-1 and LR 26-4, the parties, by and through their respective counsel of record, hereby stipulate and request that this Honorable Court extend discovery in the above-captioned case for sixty days (60) days. The parties additionally request the dispositive motions and pretrial order deadlines be extended as outlined herein. In support of this stipulation and request, the parties state as follows:

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STATEMENT SPECIFYING DISCOVERY COMPLETED

1. Plaintiffs and Defendants participated in an FRCP 26(f) conference on July 31, 2019.
2. Plaintiffs timely served their initial disclosures on or about August 26, 2019 and a First Supplement on September 20, 2019. Additionally, Plaintiffs served a Listing of Non-Retained Expert Witnesses on or around August 30, 2019.
3. Defendants timely served their initial disclosures on or about November 18, 2019.
4. Defendants served discovery requests on September 3, 2019.
5. Plaintiffs responded to discovery requests on September 20, 2019.
6. Plaintiff, LEONEL ALFARO ZAYAS, was deposed on November 18, 2019.
7. Plaintiff, DAVID ALVARADO GOMEZ, was deposed on March 3, 2020.
8. An attempt to depose Plaintiff, LUIS CARMONA ESCOBAR, a now unrepresented party, was made on January 16, 2020 but a notice of non-appearance had to be taken.
9. Defendants timely served their Initial Designation of Expert Witnesses and Reports on April 15, 2020.

DESCRIPTION OF DISCOVERY REMAINING TO BE COMPLETED

1. Plaintiffs wish to take the deposition of Defendant, JAROSLAV NOVOTNY.
2. Defendants wish to take the depositions of those individuals involved with rendering medical treatment to Plaintiffs including Kyle Magdaluyo, DC, Luis Velazquez, MD, and Gary J. La Tourette, MD.
3. Plaintiffs wish to depose the expert designated by Defendants, James S. Forage, MD FACS.
4. The parties will take the depositions of any and all other witnesses garnered through discovery.

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EXPLANATION AS TO WHY REMAINING DISCOVERY CANNOT BE COMPLETED

Counsel agree that an extension of current dates is required for the following reasons. First and foremost, COVID-19 has thwarted efforts by the parties to finish discovery prior to the expiration of the September 13, 2020 deadline established by this Court.

The parties recognize the instant pleading, seeking a continuance of discovery, is being made within 21 days of the expiration of said deadline. The parties, however, did not grasp the extent of challenges that would ensue as a result of the world-wide pandemic inclusive of closed offices, reduced staff, and concerns about physically taking depositions. Defendant, JAROSLAV NOVOTNY, is additionally an inter-state truck driver who has been working to ensure goods continue to be distributed. The aforementioned provides good cause to extend the discovery deadline. There has not been un-excusable neglect by the parties hereto.

The parties jointly request the Court approve the foregoing third proposed extension to the Discovery Plan and Scheduling Order set forth below.

PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

The following is a list of the remaining discovery deadlines and the parties' proposed extended deadlines.

| Scheduled Event | Current Deadline | Proposed Deadline |
|----------------------|--------------------|-------------------|
| Discovery Cut-Off | September 13, 2020 | November 12, 2020 |
| Dispositive Motions | October 12, 2020 | December 11, 2020 |
| Joint Pretrial Order | November 12, 2020 | January 11, 2021 |

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1 The instant request for an extension of time is based on good cause and not sought for any
 2 improper purpose or for delay. It is sought by the parties solely for the purpose of allowing sufficient
 3 time to conduct discovery in this multi-party case so that they may adequately prepare their respective
 4 cases for trial.

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 6 The parties respectfully submit that the reasons set forth above are compelling and that there
 7 is good cause for the short extension.

8 WHEREFORE, the parties respectfully request that this Court extend the discovery period as
 9 outlined above as discovery cannot be completed as currently scheduled.

10 DATED this 24 day of August, 2020.

DATED this 24 day of August, 2020.

11 THE LAW OFFICE OF CLAY R. TREESE

LEWIS BRISBOIS BISGAARD & SMITH

12
 13 /s/ Clay R. Treese
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17 **ORDER**

18 IT IS SO ORDERED.

19 DATED this 25th day of August 2020.

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 22 UNITED STATES MAGISTRATE JUDGE
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